

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA,

Crim. No. 10-409 (WJM)

v.

ORDER

SYED ZAIDI,

Defendant.

THIS MATTER having come before the Court upon *pro se* Defendant Syed Zaidi's October 4, 2011 Motion for Reconsideration (ECF No. 66) pursuant to Local Rule 7.1(i) of Civil Procedure for the District of New Jersey;¹ and Defendant having moved for reconsideration of this Court's September 14, 2011 Order denying Defendant's motion seeking grand jury transcripts (hereinafter "Subject Order" and "Subject Motion", respectively); and Defendant, having filed the Motion for Reconsideration over fourteen days after entry of the Subject Order; and the Court finding that said motion is untimely; and that denial on that basis is proper; and the Court further noting its determination in the Subject Order that Defendant "failed to demonstrate a particularized need for disclosure of the testimony before the grand jury"; and the Court noting that even assuming, *arguendo*, the reconsideration motion was timely,² neither the motion nor Defendant's October 4, 2011 reply in further support of the Subject Motion (ECF No. 65)

¹ Local Civil Rule 7.1(e) also controls for motions for reconsideration in criminal cases in the District of New Jersey pursuant to Local Criminal Rule 1.1.

² Defendant's motion is dated September 25, 2011.

support a finding of [1] an intervening change in controlling law, [2] discovery of new evidence after the Court issued the Subject Order, or [3] the need to correct a clear error of law or fact to prevent manifest injustice³ which would alter the Court's basis for denial of the Subject Motion; and Defendant having thereby failed to demonstrate a substantive basis to grant the Motion for Reconsideration in addition to failing to timely file said motion; and for good cause appearing,

IT IS on this 10th day of November 2011, hereby,

ORDERED that Defendant Syed Zaidi's Motion for Reconsideration of this Court's Order denying Defendant's request for grand jury transcripts is **DENIED**.

s/ William J. Martini
WILLIAM J. MARTINI, U.S.D.J.

³ *Max's Seafood Café by Lou-Ann, Inc. V. Quinteros*, 176 F.3d 669, 677 (3d Cir. 1999).